IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4875 OF 2004

Sharad V.K.S.(Vikas) Seva Sanstha Ltd..Petitioner

versus

Prop.Shrikrishna V.K.S.(Vikas)
Seva Sanstha Ltd .. Respondents

Mr.A.B.Borkar for Petitioner

Mr.M.H.Solkar, Assistant Government Pleader for
for Respondent nos. 3 to 5.

CORAM : D.G.KARNIK, J

DATED : 27th January, 2006

P.C.

1. By this petition, the petitioner challenges the order dated 14th January, 2003 rejecting the petitioner's revision application under section 154 of the Maharashtra State Co-operative Societies Act, 1960 (for short the Act).

2. The petitioner is a multi-purpose cooperative society. The respondents made an application for registration of the respondent no. 1 as a multi-purpose cooperative society and by an order dated 15th November, 1999 the District Deputy

Registrar allowed the application and ordered the registration of the respondent no. 1 society. That order was challenged by the petitioner unsuccessfuly before the Joint Registrar. Revision application directed against the Joint Registrar was dismissed by the State Government and that decision is impugned in the present petition.

3. Learned counsel for the petitioner states that the petitioner society ought to have been heard before registration of the respondent no. 1. He submits that there are several government resolutions requiring that hearing must be given to an existing multi- purpose society before registration of any other multi-purpose society. He further submits that the government resolutions have been issued under section 4 of the Act and therefore have a statutory force or atleast have a statutory flavour. Learned counsel for the petitioner was however unable to point out even a single resolution of the government stating that hearing must be given to an existing multi-purpose society before registering any other multi-purpose society.

4. No decision of this Court was pointed out to me showing that an existing multi-purpose society

must be heard before granting registration to any other multi-purpose society.

5. There is no merit in the petition which is hereby dismissed summarily.

(D.G. KARNIK, J)